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Syllabus.

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title to the land in controversy is in the appellee, and that there is no error in the record.

DECREE AFFIRMED IN EACH CASE.

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NOTE.

WARNER v. JOY.

No. 327.

THE decree in this case (like the preceding one, an appeal from the District of Kansas) was also affirmed; Mr. Justice CLIFFORD (who delivered the judgment of the court) observing, that it was clear that such a decree must be given, on an application of the principles adopted and the reasons given in the case just decided; as the pleadings were substantially the same as in it, and there was a stipulation of the parties that the court might take and determine the demurrer filed upon the agreements made in that case and without further argument.

So, too, judgment was here affirmed on a writ of error (No. 328) to the same district, in a suit of ejectment by Joy against Warner for these same lands, where judgment had been given in favor of Joy; Mr. Justice CLIFFORD, who delivered the judgment of the court, saying that the questions presented for decision were "in all respects the same as those presented and decided in *Holden v. Joy*;" and that "the court, without hesitation, decides that the title of the plaintiff is complete, and that he is entitled to judgment for the recovery of the possession of the premises in controversy."

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TYLER v. MAGWIRE.

The Supreme Court of the State of Missouri, on appeal, dismissed a petition which sought to have the title to lands held by the defendant, under a patent from the United States, divested, and vested in the complainant. From this decree of dismissal a writ of error brought up the case under the twenty-fifth section of the Judiciary Act, the complainant claiming the land under a former patent from the United States.